

UNITED STATES DISTRICT COURT  
for the  
EASTERN DISTRICT OF NORTH CAROLINA

**U.S.A. vs. Hassan Shabazz Berry**

**Docket No. 5:14-CR-290-1D**

**Petition for Action on Supervised Release**

COMES NOW Linwood E. King, U.S. Probation Officer of the court, presenting a petition for modification of the Judgment and Commitment Order of Hassan Shabazz Berry, who, upon an earlier plea of guilty to Possession With Intent to Distribute 500 Grams or More of Cocaine, was sentenced by the Honorable R. Bryan Harwell, District of South Carolina, on April 28, 2008, to the custody of the Bureau of Prisons for a term of 168 months. It was further ordered that upon release from imprisonment the defendant be placed on supervised release for a period of 60 months.

Hassan Shabazz Berry was released from custody on June 27, 2014, at which time the term of supervised release commenced.

On December 17, 2014, jurisdiction in this case was transferred to the Eastern District of North Carolina.

On March 1, 2017, the court modified the defendant's conditions of release to include submission to a psycho-sexual evaluation by a qualified mental health professional.

**RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS:**

On May 15, 2017, the defendant underwent a psycho-sexual evaluation through the Counseling and Psychotherapy Center, Raleigh, North Carolina. It was recommended that Berry submit to a sexual history polygraph and participate in individual sex offender treatment sessions. Based upon this information, we believe a polygraph examination and exposure to the sex offender treatment program would be appropriate.

The defendant signed a Waiver of Hearing agreeing to the proposed modification of supervision.

**PRAYING THAT THE COURT WILL ORDER** that supervised release be modified as follows:

1. At the direction of the U.S. Probation Officer, the defendant shall submit to physiological testing, which may include, but is not limited to, polygraph examinations or other tests to monitor the defendant's compliance with probation or supervised release and treatment conditions.
2. The defendant shall participate in a sex offender treatment program as directed by the U.S. Probation Officer, and the defendant shall comply with and abide by all the rules, requirements, and conditions of the treatment program until discharged. The defendant shall take medication as prescribed by the treatment provider.

Except as herein modified, the judgment shall remain in full force and effect.

**Hassan Shabazz Berry**  
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Reviewed and approved,

I declare under penalty of perjury that the foregoing  
is true and correct.

/s/Michael C. Brittain  
Michael C. Brittain  
Supervising U.S. Probation Officer

/s/Linwood E. King  
Linwood E. King  
U.S. Probation Officer  
310 New Bern Avenue, Room 610  
Raleigh, NC 27601-1441  
Phone: 919-861-8682  
Executed On: August 28, 2017

#### **ORDER OF THE COURT**

Considered and ordered this 30 day of August, 2017, and ordered filed and  
made a part of the records in the above case.

J. C. Dever  
James C. Dever III  
Chief U.S. District Court Judge